

MINUTES

MANSFIELD INLAND WETLANDS AGENCY
Regular Meeting, Tuesday, September 4, 2007
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante,
B. Ryan, G. Zimmer
Members absent: B. Gardner
Alternates present: M. Beal, L. Lombard, B. Pociask
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:02 P.M. and appointed alternate Lombard to act in Gardner's absence.

Minutes:

8/6/07 - Hall MOVED, Holt seconded, to approve the Minutes as written. Motion PASSED with all in favor except Goodwin who disqualified herself. Kochenburger noted that he listened to the tapes of the meeting. .

8/15/07 Field Trip - Favretti MOVED, Lombard seconded, to approve the Field Trip Minutes as corrected. MOTION PASSED with Favretti and Lombard in favor and all others disqualified.

Communications:

The Draft Minutes of the 8/15/07 Conservation Commission and the 8/20/07 Wetlands Agent's Monthly Business report were noted.

Old Business:

W1371 – Datum Engineering – 108 Candide Lane – house within 150'

Holt MOVED, Hall seconded, to deny an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Datum Engineering & Surveying LLC (file no. W1371), for development of a single family house with appurtenant improvements, on property owned by James Leta and Daniel Costello, located on the east side of Candide Lane and the south side of Browns Road, as shown on a plan dated February 7, 2007 and revised May 7, 2007, and as described in other application submissions. This action is based on the application submissions and information presented in public hearing sessions held on May 7, 2007, June 4, 2007, July 2, 2007, and August 6, 2007, and observations made on a field trip to the site on March 12, 2007 and consideration of applicable regulations.

The Wetlands Agency carefully considered conflicting testimony regarding adverse environmental impact given by the applicant's experts and Dr. Michael Klemens, a recognized expert on vernal pools testifying at the request of the Agency, as to the character and degree of injury to designated inland wetlands.

Of particular importance, independent reports and testimony from Dr. Klemens concluded that the applicant's proposal would detrimentally affect the long term productivity of these wetlands both in the adverse impacts on the physical characteristics of the vernal pool located on the property and to the larger Cider Mill Brook wetland system to which this vernal pool discharges in times of high water. This denial assures the long term productivity of these wetlands and will avoid irreversible and irretrievable loss of these resources. The Agency agrees with the conclusions of Dr. Klemens, and this proposed use is not suitable for this site due to anticipated significant and unacceptable impacts to this vernal pool and Cider Mill Brook.

Therefore the Agency denies this application. MOTION TO DENY PASSED UNANIMOUSLY.

W1382 - Wassmundt - Old Turnpike Rd - pond construction

Betty Wassmundt, owner of 54 Old Turnpike Road, was present with her contractor, Donald Kemp of Canterbury, to answer any questions the Agency members had regarding the construction of the proposed pond. Favretti asked what would be done with the tree stumps that are to be removed. Wassmundt explained that the stumps, trees/wood chips, and debris will be taken off the site. Zimmer questioned if they will be displacing any threatened or endangered wildlife by removing the trees in the vicinity of the proposed pond site. Meitzler responded that according to the DEP maps there is no threatened or endangered wildlife in that area.

With no further comments or questions, Holt MOVED, Lombard seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Elizabeth T. Wassmundt (file W1382), for the construction of a 45'x 90'x 8' wildlife pond, on property owned by the applicant located at 54 Old Turnpike Road, as shown on a map dated 7/26/07 and as described in other application submissions. This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. Silt fencing shall be placed along the easterly edge of the work area;
3. Two (2) twelve (12") inch or greater diameter pipes shall be placed at the outlet, with rip-rap outlet protection;
4. A grass-lined emergency overflow spillway shall be created that is to be 8 feet wide and about 6 inches lower than the surrounding crest elevations.

This approval is valid for a period of five years (until 9/4/12), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1383 - Bobb - Separatist & N Eagleville Rd - 7 lot subdivision

Hall disqualified himself, and Favretti appointed Beal to act in his place. Holt MOVED, Kochenburger seconded, that the Inland Wetlands Agency finds that the application submitted by RAAR Development LLC (File # W1383) may have a significant negative impact on the wetlands. Therefore, in the public interest of the Town, the IWA is scheduling a Public Hearing for this application on October 1, 2007. MOTION PASSED with all in favor except Hall who disqualified himself.

W1384 - Town of Mansfield - Hunting Lodge Rd Pedestrian/Bikeway

With no discussion on the proposal, Holt MOVED, Lombard seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to the Town of Mansfield (file W1384), for a pedestrian and bicycle path, on property owned by the applicant and acquired easements located along the west side of Hunting Lodge Road between North Eagleville Road and Carriage House, as shown on a map dated 8/2007 and as described in other application submissions. This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. Maps shall not be signed until all DEP permit requirements have been addressed.

This approval is valid for a period of five years (until 9/4/12), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1385 - Dorwart - Mulberry Rd - 4 lot subdivision

With no discussion on the proposal, Holt MOVED, Ryan seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Reinhold A. and Juanita M. Dorwart Family Trust (file W1385), for a 4 lot residential subdivision with onsite septic systems and wells, on property owned by the applicant and acquired easements

located on Mulberry Road, as shown on a map dated 7/31/07 and as described in other application submissions. This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. Based on the recommendation of the Wetland Agent, the footing drain on Lot 4 shall be moved farther from the edge of the intermittent stream;
3. Silt fencing shall be placed downhill of all construction areas and especially along the driveway on Lot 4 which is uphill of steep slopes leading to the adjacent wetlands;
4. Erosion and sediment protection shall be added to Plan Sheet 4 of 5 before wetlands approval can be implemented and construction activity can begin.

This approval is valid for a period of five years (until 9/4/12), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1380 - Pond Place LLC - Northwood/Hunting Lodge Rds - housing project
Tabled pending a 9-17-07 Public Hearing.

New Business:

W1386 - Shifrin - Mansfield Hollow Rd - parking expansion

Goodwin MOVED, Holt seconded, to receive the application submitted by Sam Shifrin (IWA File # W1386) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of Phase II parking area as depicted on a 12/8/97 site plan, at 114 Mansfield Hollow Road, on property owned by the applicant, as shown on a map dated 12/9/96, revised through 12/8/97, and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

W1387 - Abell - Bassetts Bridge Rd - above ground pool in buffer

Goodwin MOVED, Holt seconded, to receive the application submitted by Tina and Roger Abell (IWA File # W1387) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the installation of a 24' above ground swimming pool at 606 Bassetts Bridge Road, on property owned by the applicant, as shown on a map dated 8/30/07, and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

Favretti scheduled a Field Trip for September 10, 2007 at 1:00 p.m.

Public Hearing:

W1378 - Storrs Center Alliance, LLC - Storrs Center Project

Chairman Favretti opened the Public Hearing at 7:35 for the above applications. Agency members present were Favretti, Goodwin, Hall, Holt, Kochenburger, Plante, Ryan, Zimmer and alternates Beal, Lombard and Pociask. Meitzler read the Legal Notice as it appeared in the Chronicle on August 21 and August 29, 2007. He also noted that in addition to the applicant's materials the following communications have been received and distributed to all members of the Inland Wetlands Agency: 8-29-07 report from Klemens, 8-29-07

Baseline Survey, 8-21-07 Wetland Functions and Values Assessment, 8-30-07 memo from G. Meitzler, Plans dated 6-25-07 and 8-16-07 minutes from the Conservation Commission.

Tom Cody introduced the members of the Storrs Center Alliance Team, and presented copies of professional resumes of both Klein and Klemens.

Michael Klein, Biologist, reviewed his report and highlighted key components for the Agency and audience. He related that he identified five (5) different wetland units, and noted that the subject area is mostly mixed hardwood forest with some woodland swamp, and he showed those areas on the presentation maps. The eastern isolated wetland is a vernal pool. No State-listed endangered species were on this site.

Favretti asked Klein to point out on the map where the wetlands drain into the Fenton River.

Lou Marquette spoke in behalf of Dr. Klemens who could not be present. He reviewed Dr. Klemens' report and highlighted its key components. He noted that Dr. Klemens' goal was to identify which portion of the site would be buildable, and which portion should be protected wetlands. He showed these areas on the presentation maps.

Geoff Fitzgerald, Professional Engineer, BL Companies, discussed the Stormwater Best Management Practices that his team has followed to recharge the stormwater and help support and maintain wildlife in the area. He discussed the use of tree box filters for underground storage of run-off with filter basins beneath the trees, explaining how they would function. He also explained that there will be a "berm" around the entire wetlands portion of the site, to keep amphibians safe and give them unimpeded access to the vernal pool. He noted that each specific area will have its own erosion and sedimentation control system with its own detailed plan when submitted for PZC approval.

Michael Klein, noted that the “bowtie” wetlands, so-called, on the NW corner of the wetlands system, will have approximately ¼ of an acre filled, and noted that it has minor recourse values and its being filled will have minor impact on the wetland system.

He stated that 75% of the area around the outside of the vernal pool is critical habitat for amphibians and this area needs to be left undeveloped to maintain a healthy bio-habitat.

Cody summarized by noting there are three (3) key documents to this presentation: the Klemens baseline study, the 8-29-07 current views “follow up”, and the Klein report on impact assessment.

Favretti asked for questions and comments from the Agency:

Pociask questioned fall leaves damming and ponding in the tree box basins.
Favretti questioned the effect of de-icing products on this tree box basin system.
Zimmer questioned if the roots of these trees will be in a sand base material and questioned what kind of trees would tolerate salt and sand.
Holt asked about who would maintain the basins.
Zimmer asked if there would be a knowledgeable “caretaker” for the drainage system for maintenance to identify potential problems before they occur. Klein noted that a maintenance schedule would be outlined and maintained.

Favretti opened the floor for discussion, accepting comments and questions from public.

Francis Pickering asked if existing trees would be preserved and also if porous pavers that drain directly could be used for sidewalks and other paved surfaces. The response was that they would be impractical for maintenance.
Jake Freedman wondered if “Best Development Practices”, by A.J.K. Calhoun and M.W. Klemens was available for observation, and if it was a published document. He was informed that there are copies in the Planning Office.

Hall asked if porous pavers were suitable for the parking lot for the Phase 1A Building, then why they are considered impractical for future paving of sidewalks and parking areas. Geoff Fitzgerald responded that for the 1A Building parking lot, the use would not be as intense as it would be for sidewalks and parking areas in Storrs Center.

Noting no further questions or comments from the public or Agency, Holt MOVED, Lombard seconded, to close the Public Hearing at 9:07 p.m. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None

Other Communications and Bills:

Noted

Adjournment:

The meeting was adjourned at 9:08 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary